

SPEECH

OF

HON. ALFRED IVERSON,  
OF GEORGIA,

ON

OUR TERRITORIAL POLICY;

DELIVERED

IN THE SENATE OF THE UNITED STATES, JANUARY 9, 1860.

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HON. ALFRED EVERSON  
OF GEORGIA

OF THE LEGISLATIVE COUNCIL

1860

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## SPEECH.

The Senate proceeded to consider the following resolution, which was submitted by Mr. PUGH December 15, 1859:

*Resolved*, That the Committee on Territories be instructed to inquire into the expediency of repealing so much of the acts approved September 9, 1850, for the organization of territorial governments in New Mexico and Utah, as requires that all the laws passed by the Legislatures of those Territories shall be submitted to Congress for approval or rejection.

The pending question being on the following amendment submitted by Mr. HARLAN, to add:

And said committee is also instructed to inquire into the propriety of authorizing the people of each of said Territories to elect all their territorial officers, executive, legislative, and judicial, in such manner as the Legislatures thereof shall provide—

Mr. IVERSON said:

Mr. PRESIDENT: The Senator from Ohio, [Mr. PUGH,] in a speech delivered a few days since in this Chamber, took occasion to read some extracts from a speech made by me on the 26th day of July, 1848, in the House of Representatives, whilst I was a member of that body. The object of the Senator in making this reference was to show that I was once in favor of the doctrine of "popular sovereignty," as now understood and advocated by that Senator and those who agree with him in the northern States.

Perhaps, sir, it would be sufficient for me, if I admitted the charge, to refer the Senator to an extract of a speech delivered by me at Griffin, in the State of Georgia, on the 14th of July last, in which, speaking of that doctrine, I said:

"I shall not stop here to argue the doctrine of congressional protection to slavery in the Territories, nor to combat the errors of 'squatter sovereignty.' I take the occasion to confess that I was once the advocate of the latter heresy—carried away by its attractive but delusive sophistry, which, like the *'ignis fatuus'*, lures only to destroy, and without serious examination into its truth and general bearings and looking at it as the only alternative of the Wilmot proviso, I was ready to take it as the 'best we could get.' I was wrong, and I admit, regret, and recant the error. Subsequent investigation and reflection soon convinced me that the only true theory, in relation to territorial governments in the Union, is, that both the *power* and the *duty* are conferred and imposed upon Congress to pass laws for the protection and regulation of slavery, wherever it exists or may exist upon the common soil. I am as well convinced

of the truth and propriety of this doctrine, as I am of the doctrine of salvation declared to man in the sacred Word of God. But whilst I insist upon the absolute right of the southern people to legal protection in the possession and enjoyment of their slave property in the Territories of the United States, and the power and duty of Congress to give such protection, I utterly deny the power of Congress, under the Constitution or otherwise, to exclude slavery from the Territories, or of abolishing it, if there. To regulate and protect the property of the citizen is one thing; to deprive him of it is another, and altogether different thing. One is not only within the power of all Governments, but is one of the main objects and obligations of all Governments. The other cannot be done in our Government and under our Constitution, except for '*the public use*,' and not then without just compensation to the owner. Such is the language of the Federal Constitution."

Now, sir, if I ever did maintain the doctrine of "popular sovereignty," as explained, advocated, and enforced by the Senator from Ohio and the great majority of the northern Democracy, I have long since changed my opinion, and repudiated it as a heresy; and certainly, sir, it is more honorable to renounce error, when convinced of one, than to adhere obstinately to it. I commend the candor and honesty, as well as the courage and fortitude, which I have exhibited in this respect, to the imitation of the Senator from Ohio. But, sir, I fear that, instead of retracing the great error into which that Senator and thousands of his northern Democratic friends have fallen, he and they, under the lead of the distinguished Senator from Illinois, [Mr. DOUGLAS,] are plunging deeper and deeper into the abyss of political error and injustice.

But, sir, what did I say, in 1848, on the occasion alluded to; and how far did I adopt or advocate the doctrine of "squatter sovereignty" in the Territories of the United States? Let the circumstances under which that speech was delivered be stated and remembered. General Cass was the presidential candidate of the Democratic party, of which I was a member. General Taylor was the opposing candidate of the Whig party. The Oregon bill was under discussion in the House. The northern Free-Soil party having the majority in that body, brought forward the Wilmot proviso, excluding slavery from the Territory of Ore-



gon. The question was upon the adoption of that proviso. My speech was intended mainly as an attack upon that odious, unconstitutional, unjust, and insulting indignity to the southern people. General Cass had only a short time previously produced his celebrated Nicholson letter, in which he advocated the doctrine of "popular sovereignty," or the non-intervention of Congress upon the subject of slavery in the Territories. It was a new doctrine, or, at any rate, it was new to me. It was plausible, and, even with the construction which some then put upon it, and which now seems to be the settled construction of the northern Democracy, it was considered by many southern men as less obnoxious to objection and less dangerous in its practical results to the rights and interests of the South than the Wilmot proviso.

There were two constructions given to General Cass's Nicholson letter. His southern friends and supporters maintained that it meant only that Congress was not to intervene to *establish* or *exclude* slavery, but that the people of a Territory were to be left free to the exercise of the power of deciding the question of slavery or no slavery when they came to form a constitution and State government for admission into the Union. That they have such power at such time, no portion of the Democratic party, North or South, have ever denied or disputed; and that power, to be exercised in that way and at that time, has been universally approved by the southern people of all parties. The southern opponents of General Cass asserted that he meant to claim for the people of a Territory the exclusive power and right to determine that question at any time during their territorial existence, and that Congress could not intervene to correct or annul their decision. Now, sir, in my speech of 1848, I expressly disclaimed the intention to express any opinion or make any decision upon the question of constitutional power, either in Congress or the Territories, except so far as to deny the power in Congress to prohibit or exclude slavery. I did not affirm the doctrine of congressional protection—neither did I assert the *right* of the people of the Territories, during their territorial existence, to decide the question for themselves. I maintained only the total want of authority in Congress to exclude slavery by direct prohibition.

It is true, sir, that, in the speech alluded to, I did express my willingness, waiving the question of power, to acquiesce, as a matter of expediency, in the *privilege* of the people of the Territories to establish or prohibit slavery at any time. I did not admit it as a constitutional right. I considered it, and assented to it, only in the light of expediency, and as contrasted in that respect to the Wilmot proviso; and, sir, if emigration to the Territories had been conducted from that time to this, as of former years, in the natural and usual way; if it had continued to flow into them through the natural and regular channels; if it had been left to the control and promptings of individual interests and inclinations; if no extraneous and extraordinary influences had been brought to bear upon it for the accomplishment of political objects; if no spurious, hot-bed emigration had been poured into the Territories, supported and encouraged by northern abolition aid societies, and stimulated by the rabid anti-slavery feeling of the free States; if the people of the Territories, formed

into political communities by gradual, regular, and natural emigration, and after territorial governments had been instituted and conferred upon them by Congress, had been left, uninfluenced by outside pressure, to form their political and domestic institutions for themselves, no southern man would probably ever have complained of or denied them that privilege, or have invoked the power and duty of the Federal Government to protect slaveholding emigrants in the possession of their slave property.

But, sir, the history of emigration into the Territories for the last ten or twelve years, has taught the southern people a severe and salutary lesson. It has opened their eyes to the inevitable effects and fatal results of the "squatter sovereignty" doctrine of General Cass and his northern friends. The settlement and fate of California satisfied me and the whole South, that under that doctrine, as the established policy of the Government, the southern people, with their slave property, would be as effectually excluded from all the public Territories as they could possibly be by the Wilmot proviso. The emigration to California was under the general impression and understanding that Congress would not interfere to change the local Mexican law which prohibited slavery, but would leave the people to establish and regulate their domestic institutions in their own way. Congress, in fact, refused and neglected to establish any territorial government, but left the people, who swarmed into that country from the great northern free-soil hive, to set up a government of their own, and admitted her into the Union with an anti-slavery constitution. The "Free-Soil" majority which then controlled Congress knew well that such would be the result of the "non-intervention" action of the Federal Government. The northern Whigs insisted upon positive prohibition. The northern Democrats, whilst they repudiated the Wilmot proviso, were unwilling to give the protection of Federal laws to slavery, and left the whole subject to the people of the Territory. The result was what all parties expected and anticipated, and what all parties at the North desired and intended. The Mexican law prohibited slavery. Slavery could not, therefore, be safely introduced into California. No man would risk such valuable property when it had no reliable protection. Few of the southern people emigrated to California; none of them carried their slaves with them. The consequence was inevitable. A State government was formed, without any previous territorial government, and without the authority of Congress; slavery was excluded, and the State admitted into the Union.

Sir, I saw then the practical operation of the new dogma of "popular sovereignty." It roused me, as well as the South generally, to a more critical examination of the whole subject, and I became convinced at an early day that the doctrine of "non-intervention," as interpreted by its northern advocates, though plausible, was as erroneous as it was delusive and fatal to the rights of the southern people. I was, in 1850, one of the most decided opponents of the admission of California into the Union. I opposed the whole batch of the compromise measures of that memorable period. I opposed them because they recognized the doctrine of "squatter sovereignty," and were founded upon and connected with the admission of California



into the Union with a free-State constitution. Sir, when the southern people, upon a more mature investigation of the doctrine in question, and a knowledge of its practical workings in the case of California, came to understand its true character and bearing, and to comprehend and appreciate their just rights under the Constitution, and as equals in the Confederacy, they universally repudiated and condemned it. And when the Kansas-Nebraska bill was passed, receiving, as it did, the sanction of the great body of the southern people of all parties, it was with the universal understanding at the South that it did not contain the doctrine of "squatter sovereignty" as advanced by General Cass, and subsequently so strenuously sustained and urged by the distinguished Senator from Illinois, [Mr. DOUGLAS,] and his anti-Lecompton friends.

The language of a part of the thirty-second section of that bill, as applicable to Kansas, reads as follows:

"It being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

Now, sir, what we of the South understood by this clause, was, that Congress was not to assume the power or attempt to *establish* slavery in Kansas or to *exclude* it therefrom—that Congress should not declare, by resolution or law, either that slavery should exist or should not exist in Kansas; but that the people of that Territory, when forming a State constitution for the purpose of admission into the Union, had the power, and should be left perfectly free to exercise it, of establishing or excluding slavery, as in their sovereign capacity of a State they might choose and determine. Such, sir, was our understanding of the Kansas bill; such the general interpretation of it at the South; such the uniform construction put upon it by all the southern people from that day to this. To that doctrine I have never been opposed; on the contrary, I advocated it in 1848, and have ever since given it my cordial sanction.

But neither I, or any other southern man, as far as I know, have ever admitted the *right* of the people of a Territory to decide the question of slavery or no slavery, at any time during their territorial existence, or before the formation of a State constitution. The people of a Territory, after the formation of a territorial government by Congress, and under the power of legislation conferred upon them by the organic act, may, through their Territorial Legislature, recognize the existence of slavery, if it in fact exists in the Territory, and pass laws to regulate and protect it. This power can, in my opinion, be exercised by Congress itself, as I shall hereafter attempt to show, and may therefore be rightfully conferred upon the Territories; but I deny, and so do the southern people deny, that the Kansas-Nebraska act conferred, or intended to confer, upon the territorial governments enacted by that act, the power to exclude, prohibit, or abolish slavery. We deny that Congress itself has any such power, and in this position we have been sustained by the Supreme Court of the United States in the case of Dred Scott. If Congress could not exercise that power itself, it could not confer it upon the territorial government; and surely it cannot be supposed that in

passing the Kansas bill, and in using the language to which I have referred and quoted, Congress intended to confer a power which it did not itself possess, and which it could not exercise without a gross usurpation. Such a presumption would stultify the Congress of 1854, which passed that bill, and make it odious and contemptible in the eyes of all intelligent and honorable men.

But, sir, what construction has been put upon that act by a large portion, if not a majority of the northern Democracy? What construction has been put upon it by Judge DOUGLAS and that large, respectable, and powerful section of the northern Democracy which has followed his lead on this important subject? And under what circumstances and influences was Kansas settled up and its fate as a political community and State decided? The Senator from Ohio [Mr. PUGH] knows, the Senate knows, the whole country knows, that from the very passage of the Kansas bill, it was contended, asserted, and urged, by Judge DOUGLAS and the northern Democracy that it not only conferred the power, but was intended by its framers to confer the power on the people of that Territory, to establish or prohibit slavery at pleasure, or, in the language of the bill itself, "to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States," at any and all times during the existence of the territorial government; and it was further contended and urged, that the exclusion, prohibition, or abolition of slavery by the Territorial Legislature was no violation of the Constitution of the United States, and might, therefore, be rightfully done.

Sir, it was with this construction of that act, and under the impression prevailing all over the free States, that those emigrant aid societies were formed from the hot-beds of northern abolitionism, which poured their thousands, armed with carpet bags and Sharpe's rifles, into Kansas to make up a majority of its population, to control the Territorial Legislature, and fix its political complexion and destiny as a free State. It was with this understanding that the northern Abolitionists pushed forward at the very outset their mongrel hordes of free-soil emigrants, with the object and determination of controlling the question by the power of numbers and the force of arms. It is true, sir, that under the influence of the early emigration from Missouri, the most contiguous and convenient State, the first Legislature of Kansas did recognize the existence of slavery, and passed laws for its regulation and protection. They established what the Senator from Illinois [Mr. DOUGLAS] and others have so often and so contemptuously designated as a "slave code;" but how long did it exist? No longer than the northern construction of the Kansas-Nebraska act could work out its legitimate and certain results. As soon as slavery was recognized by the Legislature of Kansas, the northern abolition sentiment was aroused; it raised its gorgon head and hands and soon overran Kansas with its abolition scum. The violent, heated, and bloody character of the contest for supremacy; the uncertainty of its result; the doubtful security of slave property, and the danger of its final and total loss, deterred emigration from the southern States, whilst most of those who had gone into the Territory with their slaves at an early day, abandoned it in disgust or



fear, and left it to the forcible and bloody possession of the Abolitionists.

The closing scene and final result of the workings of the "squatter sovereignty" doctrine and policy of the Senator from Illinois, and his northern Democratic friends and followers, we are probably about to witness, at this session, in the admission of Kansas as a free State, and with an abolition Representative, and two Senators on the floor of Congress. Such, sir, have been the fruits of the Kansas bill, as construed and enforced by its northern author and friends; and such will, and ever must be, the result of all similar acts of Congress, if this northern construction shall become the settled policy of the Government and people of the United States. The southern people can never run the risk of taking their slave property into a Territory, no matter how well adapted to slavery, if it has to depend upon the precarious will of the people of the Territory for protection. Looking at the history and fate of California and Kansas, and at the deep-rooted, wide-spread, and rancorous anti-slavery policy of the northern people, their well-settled, well-understood, and fixed determination never to let it extend beyond its present limits, and their superior facilities of throwing emigrants at will, and in any number, into the Territories, no prudent man will ever carry his slaves into a Territory to be subjected to the tender mercies of the abolition squatters.

Sir, this "squatter sovereignty" doctrine of yielding to the people of the Territories the power and the right at any time to exclude or abolish slavery, by territorial legislation, is as effectual a bar against the admission or establishment of slavery in any territory which the people of the United States may now possess, or may hereafter acquire, as the Wilmot proviso or any other congressional prohibition. Its practical effects are fatal to the expansion of southern institutions—it is a practical denial of the right and privilege of the southern people to emigrate to the common territories of the Union; for the right to emigrate to them without the right to take any and all property which legally belongs to them, is an insult and restriction to which no man of honor or spirit would submit; and yet, sir, Judge DOUGLAS and a large portion of the northern Democracy have gone far beyond this delusive and fatal squatter sovereignty doctrine and policy as originally propounded by General Cass, and advocated by the mass of northern Democrats. General Cass and his school of politicians never claimed the power and right in the people of the Territories to act upon or decide the question of slavery or no slavery, before or without the formation of a territorial government by Congress; but the distinguished Senator from Illinois, in his celebrated Harper's Magazine article, asserts that power in the people, with or without a territorial government erected by Congress. He claims *sovereign* power in the people of the territories—he claims that as soon as they have sufficient numbers to form a political community, they may set up a government of their own, without the authority of the Federal Government, and regulate and control all their internal polity, subject to the supervision of no tribunal whatever. In other words, he asserts the doctrine that they are clothed with the attributes and can exercise all the powers of a sovereign State, and do anything which a sover-

eign State can do under the Constitution. Such is the extraordinary position and monstrous doctrine of this new school of northern Democratic politicians!

Now, sir, what chance would the South ever have under this doctrine to obtain or control another foot of territorial soil? And yet, sir, the Senator from Ohio asserts the soundness of the northern Democracy upon this important and vital question to the South—he and his northern friends insist that they are ready to yield to the southern people all their constitutional rights—to treat them as equals in the Union, and do them justice! Sir, away with such rights as these; away with such equality; away with such justice! It is "holding the promise to the ear, only to break it to the hope." No, sir; the South can rely on no such uncertain tenure as "squatter sovereignty," in any shape or form. She must have *protection*, direct, certain, permanent protection to her slave property in the Territories of the United States throughout the existence of the territorial governments. She is entitled to it, and she demands it. When and by whom shall it be granted and secured? A portion of the northern Democracy, perhaps the soundest and best disposed part of them, tell us that we must rely on the courts. If we move into the Territories with our slave property, and our rights of property in our slaves shall be violated, we must resort to legal redress. Sir, under what law? Congress, you say, cannot and shall not provide a "slave code" for the Territories. Congress shall pass no law for your protection and the enforcement of your rights. Who then is to make one? To preserve our property from injury or loss, we *must* have laws defining rights and providing remedies.

Shall we depend upon the Territorial Legislatures to recognize our rights of property in slaves, and provide us remedies for their violation? Is that the tribunal to which you would remit us for protection? What is that but "squatter sovereignty" in unadulterated form? A Territorial Legislature composed of such men as SEWARD, HALE, WILSON, Giddings, Smith, and Garrison, who openly deny that property can exist in man—would such a Legislature recognize slavery, define the rights of the slaveholder, and establish a process by which those rights could be enforced? Instead of these things, we should have laws denying the right to hold slaves; making it penal for any officer or other person to assist in the capture or recovery of a slave; closing the doors of every jail and prison in the Territories to the slaveholder, as a place of security for his runaway, stolen, or rebellious negro. Why, sir, what a farce; what a mockery; what an insult to the southern people to put their rights upon such a basis! And yet, you who advocate this doctrine, tell us you are sound on this question of slavery, and are ever ready to yield to your southern brethren all their just rights, and accord to them perfect equality in the Union! Why, sir, how much more just or generous are you to us, upon this important, exciting, and vital question of slavery in the Territories than the Republican party? They tell us, in plain language, that they do not intend that slavery shall ever be established in another Territory of the United States; that it shall never extend an inch beyond its present limits. They say that Congress has the power, under the Consti-



tution, to exclude slavery from the Territories, and that, whenever they can control the subject, Congress shall exclude it. This is open, plain, emphatic language; everybody understands it, and can act upon that understanding.

To such legislation the South will never submit—such a prohibition imposed by the Federal Government would justify and produce an immediate dissolution of the Union. Georgia has so solemnly declared, and most of the southern States have sanctioned and approved the declaration. And yet, sir, how much better for the South, in its practical result, is the doctrine of the northern Democracy, especially that portion of it led by the Senator from Illinois? They say to us, you are joint and equal owners with us of the common Territories. You have the undoubted right to move into and settle upon them. You have the right to carry with you any and all property which the Constitution of the United States and the constitutions or laws of your own States recognize as property; but when you get there with your *slaves*, you must depend upon the Territorial Legislature or the courts for their protection, enjoyment, and security. If the Legislatures recognize your rights and afford you remedies for their violation; if they think proper to establish a “slave code” for your benefit, well and good—they have the power to do it, and perhaps ought to do it; but if they refuse or fail to do it, and you lose your slave property, we cannot help it. We cannot agree that Congress has the power; we cannot consent that it should exercise it if it has; we cannot permit it to pass any law for its protection and security; we *insist* that the doctrine of “non-intervention” shall be the settled law and policy of the Democratic party and the Government.

Now, sirs, tell me if this is not more disingenuous and equally as fatal to slavery in the Territories as the Wilmot proviso? No honest man can deny it. And yet you call yourselves sound on this subject, and, like the Senator from Ohio, denounce any one who dares to call your soundness in question. And, sir, I have even been warned and urged by southern Senators to deal more tenderly with the northern Democracy, and not to strike blows in the house of friends. Sir, I shall never cease; whilst I have a voice here or elsewhere, to expose and denounce the deceptive and delusive promises and professions of any and every party which denies justice or inflicts wrong upon my constituents. The southern people have the right to go into the public territories with their slave property. They are entitled to have that property protected and secured by law whilst there. Congress has the power, in my opinion, to grant it, and it is the sacred duty of Congress to give it. And now, sir, as to the power of Congress over this subject. I assert the power and the duty of Congress to pass laws for the protection and regulation of slave property wherever it exists or may exist in the Territories of the United States. I do not derive that power from any express grant in the Constitution. There is no such express grant. The Constitution nowhere gives to Congress in express terms the power or the right to acquire territory, except to receive a grant of territory for the seat of the national Government, not exceeding ten miles square.

It is true that the Constitution contemplates the acquisition of territory by the Federal Govern-

ment, for it expressly grants to Congress the power “to dispose of the *territory* and other property of the United States.” This evidently contemplated a future acquisition of territory, as, at the time of the formation and adoption of the Constitution the Federal Government held and owned no territory whatever. The right to acquire territory by gift, purchase, or conquest is an attribute and incident of sovereignty. The Constitution recognizes and implies it—the *necessity* of the case justifies and sanctions it. Territory was acquired by the Federal Government at an early day after its formation, and whilst the framers of the Constitution or many of them were in the councils of the nation giving their sanction to the acquisition. Numerous acquisitions have since been made, and the power to make them has never been disputed. The power to acquire and hold, necessarily implies the power to govern, the one follows the other as clearly and fully as the right to enjoy property follows the right to acquire it in all civilized countries. When territory is obtained by the Federal Government, acting as the agent of the States and the people, and such territory has inhabitants, who is to govern them? They become the citizens and subjects of the Government which owns the soil upon which they live; and shall not that Government control them? They must be controlled and governed by some power, otherwise they might assert their independence and establish a government of their own, as the Mormons lately attempted to do in Utah; and we should have the anomaly of an “*imperium in imperio*”—a government and people within the jurisdiction of the United States, located on the soil of the United States, and yet independent of its control and to all intents and purposes a foreign Power. Such a state of things would be contrary to the history, practice, and policy of all nations and wholly incompatible with the dignity and safety of our own Government.

Who, then, is to govern the people of a territory acquired, held, and owned by the United States? The States cannot govern them; if so, there would be as many Governments as there were States, all clashing with each other. Such a state of things would be impossible and inadmissible. Can the people of such territory set up a Government without the authority of Congress? Could they rightfully exercise sovereign power? Such is the doctrine of the Senator from Illinois, [Mr. DOUGLAS,] but I deny it. To yield them the possession of such power would be to ignore the theory and practice of our Government from its formation to the present day. Congress governed the Northwest Territory, ceded to the Federal Government by Virginia; Congress governed the Territories of Mississippi and Alabama, ceded by Georgia; Congress governed the Territory of Louisiana, obtained from France; of Florida, obtained from Spain; Congress governed Oregon, and has governed every Territory which has ever been acquired, with a solitary exception. I allude to California. And even in that case a quasi Federal Government was instituted in the form of a military power exercised by an officer of the United States Army and his subordinates, with the sanction of the Federal Executive. It is true that California did set up a government for herself, without the authority or consent of Congress, but it was a *usurpation*. It was acquiesced in, and



cured by her subsequent admission into the Union; but it was no less a usurpation of powers which resided in the Federal Government, and resided nowhere else.

It may be said that, in all the cases alluded to, Congress did not govern the Territories directly by Federal laws operating upon the people. This was mainly true; but it is a well-settled principle that whatever one does by an agent, he does by himself. It is true that, in most if not in all these cases, there were territorial governments which governed the people; but they were all established by Congress, and were dependent on it, not only for birth, but for continued life. Congress might have abolished these governments at any time, and reassumed a direct governing power. The government of the Territories, therefore, belongs to Congress, and to Congress alone. It exists from the very necessity of the case, and from the relation which the Federal Government holds towards the Territories and their owners—the people of the United States. Congress holds the property as trustee for the benefit of the States and the people of the States, who are the *cestui que trusts*. The universally-admitted obligation of all trustees is to manage and control the trust property to the best advantage and interest of the owners—the *cestui que trusts*. Congress could not execute this trust fully and faithfully; it could not carry out that obligation, unless the power to control and govern the occupants of the soil be vested in the trustee—the Federal Government. Congress may, therefore, must and ought to, exercise the power of governing the people of the Territories, unless it shall, in its sovereign will and pleasure, transfer that power to another and subordinate jurisdiction. Congress may erect a territorial government, and clothe it with all the powers of legislation which it could rightfully exercise itself, but with none other.

If the people of the Territories are sovereign and independent of the Federal Government; if they can manage their own political concerns in their own way, without the authority or control of Congress; if they have all the powers of a State government in relation to their internal and domestic polity, as asserted by the Senator from Illinois and his followers, why has Congress, in all and every act organizing territorial governments, undertaken to appoint a Governor, and set him over the people; to define his powers and limit his term of office? Why has Congress in every case provided for a Territorial Legislature, establishing two branches, prescribing the number for each House, and their qualifications? Why fix the seat of government? Why prescribe the qualification of electors? Why establish a judiciary, prescribing the number of the judges, their tenure of office, the number of terms to be held, and determining their jurisdiction? Why did Congress do all these things, and many more—nay, sir, I may say a thousand others—which can only be done by a sovereign, superior, and controlling power? The truth is, sir, that Congress has exercised the power of legislating for every Territory which has ever been acquired, and over which a territorial government has been established, transferring to the territorial government such parts of its governing power as convenience and sound policy dictated. It exercised the power of legislation as a sovereign in many important par-

ticulars, in the very bill drawn up and advocated by the Senator from Illinois [Mr. DOUGLAS] for the government of Kansas and Nebraska. There is scarcely a section of that bill that does not either make laws for the people of those Territories, or which does not confer power on the territorial government to make such laws, or which does not restrain the people from the exercise of sovereign power.

The sixth section of the bill declares that “the legislative power of the Territories shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act.” It was this grant alone which created or conferred power upon the Territories to make laws for the government of the people. If not, why make the grant? If the people of the Territories had the sovereign power to govern themselves, without any grant from Congress, then it was unnecessary, nugatory, and worse than useless, to confer such power in the organic act. It would have stultified the Congress of 1854, and especially the authors of the bill. No, sir, there can be no earthly doubt or difficulty on the subject. From the beginning of the Government to this day, Congress has exercised, with the approval of all parties, the right to govern the Territories, either by laws operating directly upon them, or through territorial governments, set up and established by Congress. But whilst Congress possesses the power of legislating directly for the Territories, and of governing them by congressional statutes, as it does for the District of Columbia, yet that power must be exercised consistent with and not derogatory to the Constitution of the United States. It cannot pass any law or exercise any power inconsistent with the Constitution. Laws recognizing the existence of slavery, protecting slave property, and regulating the relations of master and slave in the Territories, cannot be inconsistent with the Constitution.

The Constitution expressly recognizes property in slaves; it prescribes rights in the owner and remedies for their violation. Congress could undoubtedly pass laws regulating the relations between parent and child, guardian and ward, husband and wife, in a Territory. No one, I think, will dispute this. It may pass such laws in advance of population; it may anticipate the settlement of a wild and uninhabited Territory, and make laws for the government of such persons as may subsequently go into them. Certainly, therefore, if slavery exists in a Territory, if the relation of master and slave actually exist, Congress may regulate that relation by defining the rights of the owner, and prescribing remedies for him if those rights are invaded or infringed. And if it can pass laws to regulate the other domestic relations in advance of population and in anticipation of emigration, why may it not do the same thing for the relation of master and slave? And, sir, if Congress can make laws for the protection of any other property in the Territories, which is lawfully held under the constitution and laws of any State, and which may be carried into a Territory of the United States, as it undoubtedly can, may it not pass laws for the protection of slave property, which is recognized by the constitution and laws of fifteen States of this Union as legally and rightfully held by their citizens?

Sir, the power of Congress over the Territories,



in my opinion, extends to all rightful subjects of legislation not inconsistent with the Constitution; and, possessing this power, it is the sacred duty of Congress either to exercise it for the benefit of all the citizens of the United States who may choose to go into and live in the common territories, or to clothe the territorial governments with that power, and *see to it* that it is exercised promptly and efficiently for the equal and just protection and benefit of all. If this is not done, then the citizens of one portion of the Union are not put upon the same footing with the citizens of other sections of the same Union; they are, to all intents and purposes, and in a most important point, denied that equality which the Union was intended to secure; they are shut out from a common inheritance, or only allowed to possess and enjoy it upon terms prescribed to them, which would brand them as inferiors in a common Union.

Sir, the southern people ought never to submit to such injustice, and, in my opinion, ought not only to sever all political association with any party at the North which denies those rights to them, or refuses, or neglects to enforce them, but ought to sever all the ties which bind them to a Union in which they are not recognized as equals; and which does not secure and protect them in the full enjoyment of every just and constitutional right. The southern States ought to *demand* of their northern brethren, that in the establishment of every territorial government by Congress, their slave property should be put upon the same footing of all other property which shall be carried into the Territories—that it be recognized as property—that the relations of the parties be regulated and defined, and that ample remedies be provided for its protection and enjoyment during the existence of the territorial government. They ought to *demand* that these rights should be so recognized, and their property so protected that they may feel secure and safe in emigrating to the Territory with their slaves; and in the event that Congress should refuse or fail to accord to them these acts of simple justice and equality, if it should come short of its duty, and its whole duty, the most sacred duty of all governments, to provide for the security, protection, and enjoyment of all its citizens of their lives, liberty, and property, then the South should no longer remain in a Union which thus fails to accomplish the objects of its formation, and without which it would be a curse rather than a blessing. And, sir, I say now to the Senator from Ohio, [Mr. PUGH,] and all the northern Democracy, that, in my opinion, the southern States ought, in the Charleston convention, to *demand* the plain and unmistakable recognition of these rights of the southern people in the Territories of the United States, as a *condition precedent* to any party affiliation with the northern Democracy; and should the delegates from the free States refuse to recognize these rights, then, sir, the southern delegates should no longer hold political associations with them; but withdraw from the convention and take steps to rally the southern people in the formation of a party *at home*, which should be based upon the simple and sacred proposition of “equality, in the Union, or independence out of it.”

I will not undertake here to say in what form or in what set phrase of words such a recognition of our rights shall be expressed. I want the substance, and am content to have it in any reason-

able form; but I will not be content with a shadow. I want no Delphic oracle, which, like the Kansas bill or the Cincinnati platform, may be interpreted to suit the tastes or interests or prejudices of different men, different parties and different sections of the Union. We ought to have it in plain English, and in language which no one can misunderstand or distort. Sir, we want and must have, not only the Cincinnati platform, but all and singular the principles decided by the Supreme Court in the Dred Scott case, with ample and satisfactory assurances and guarantees that they shall be practically carried out and faithfully enforced in every Territory over which a government may hereafter be established. With such a recognition of the rights of the southern people; with these assurances and guarantees incorporated into the Democratic platform, at Charleston, I, for one, am willing to act cheerfully, faithfully, and zealously with the national Democracy, and to support any candidate the convention shall select, who pledges himself to adhere to and support that platform. Without them, I will not support the candidate nominated by that convention, if any should be nominated, except as a necessity and a choice of evils; and not then, unless they shall be men who agree with me on all these important and vital questions, and whose character and antecedents entitle them to my confidence, approval, and support.

I do not say, sir, that I will not support the nominee of that convention, even with a defective platform. There are many men whom I would support cheerfully, warmly, zealously, even with a platform coming short of what I think it ought to be. I would support the distinguished Senator from Virginia, [Mr. HUNTER,] whose sound principles and opinions throughout the whole range of political ethics; whose purity of public and private character; whose ability as a statesman, firmness as a man, and zeal as a patriot, have ever challenged my highest admiration, respect, and confidence. I would support the present distinguished Vice President of the United States, [Mr. BRECKINRIDGE,] who, although he may have rather more of conservative Unionism than I approve, yet possesses, in my opinion, those sound political principles and eminent personal qualifications which would adorn the office of President and conduct the Government proudly and safely through every difficulty and danger. I would support one of Georgia's distinguished sons, (the Hon. Alexander H. Stephens,) who, although differing with me on many questions of public policy and party action for the greater portion of our political lives, yet now possesses my full confidence in the soundness of his views upon the great questions affecting the rights, interests, and honor of the southern people, and in his conservative temper, strong judgment, eminent ability, and practical statesmanship. And, sir, there are many others—they are all around me in this Chamber—they are scattered all over the South; indeed, sir, their name is legion, whom I would cheerfully sustain and support, even upon a platform which did not meet my own entire approval.

Nor would I confine my selection to the South alone; though I am clearly of the opinion that the South is entitled to the candidate for the Presidency, and that the true policy of the Democratic party is to choose a southern man. There are



northern men whom I would support if nominated; but I must say, sir, that, as I now understand the position and principles of most of the eminent men in the ranks of the northern Democracy, there are very few to whom I would give my vote, unless placed upon and approving a platform fully recognizing the cardinal rights of the southern people as I have asserted them. I will say, however, sir, that I would not support the Senator from Illinois, [Mr. DOUGLAS,] should he be nominated by the Charleston convention, with nothing better than the Cincinnati platform; and as he has repudiated any other, I consider his rejection by that convention, and certainly by the whole of the southern States, as a foregone conclusion. I consider his doctrines upon the subject of territorial power and the rights of the southern people as unsound in theory and disastrous to us in practice as the Wilmot proviso of the Republican party; and, thus considering them, whatever may be my personal respect for that gentleman and my admiration of his talents, I could not sanction his nomination or aid in his election to the Presidency. I must say, sir, that, in my opinion, he has forfeited all claim to the confidence and support of the southern people, by his course upon the Lecompton question, and his extraordinary, dangerous, and heretical doctrine of "squatter sovereignty," of which he may justly be considered the great embodiment.

Sir, Kansas was entitled to admission under the Lecompton constitution. Such was the opinion, the sincere and firm conviction, of the whole southern people, of all political parties; and such was the opinion of a large portion, if not a majority, of the northern Democracy. She had formed a constitution under the law and according to law. The most essential and important question connected with and embraced in the constitution had been formally and fairly submitted to the people, and had been ratified and confirmed by them. According to usage, as well as a matter of right, she ought to have been admitted into the Union. Her admission under that constitution was advocated and urged by a large majority of the Democratic party; it was, in fact, a party measure, one to which a Democratic Administration was committed, and upon the success of which it placed its existence. It was, at any rate, considered by the southern Democracy as not only just and proper in itself, but as important to that section, and they asked and urged the admission of the State at the hands of their northern friends. Admitted under the Lecompton constitution, Kansas would be a slave State. Defeated and driven back, the proslavery element in Kansas was weakened and finally overcome and crushed out. Who defeated it? Who disappointed the just hope and expectation of the southern people?

It has been alleged that the Lecompton bill was defeated by the votes of some six or eight southern Americans in the House of Representatives; and so it was; but the world knows that it was also defeated by the votes of the anti-Lecompton northern Democrats in that House, who followed the lead, and were doubtless influenced and controlled by the Senator from Illinois, [Mr. DOUGLAS,] who was the first to leave his southern friends on that occasion; who turned his back upon the Democratic party; who joined its enemies, and with them waged an active, violent,

untiring, and unrelenting war against his former party and friends, and finally defeated the Lecompton bill, and contributed more than any other man to the accomplishment of the great object which the Abolitionists had so much at heart, of making Kansas a free State. Sir, I know well the plausible ground upon which the enemies of the Lecompton bill placed their opposition to it; but can any man suppose—does any man believe—that if the Lecompton constitution had excluded slavery, a solitary voice would have been raised in all the North against the admission of Kansas, or a solitary vote given against it in Congress? No, sir; it was the fact that it recognized slavery which made it obnoxious to the thousand and one unsound, fallacious, and frivolous objections which were urged against it, and which finally defeated it. Sir, it cannot be disguised or disputed that the defection of the Senator from Illinois from the majority of the Democratic members in Congress at the time not only defeated the Lecompton bill and policy of the Democratic party, but did more to demoralize, distract, and weaken that party at the North, than any man, living or dead, ever did before him, or since. He has returned into the Democratic fold, I admit, and is now acting with the Democratic party, and I hope in good faith; but he must atone, by years of zealous fealty for the great wrong and injury done to the party; he must forsake his odious "squatter sovereignty" doctrine; he must recognize the rights, and all the rights, of the South, under the Constitution and laws of the States; he must do her people justice—full, ample, complete, unstinted justice—before he can ever regain the confidence, sympathy, and support of the southern people, or of the sound portion of the Democratic party everywhere.

Sir, I have spoken of the unsoundness of the northern Democracy; and where and how do they stand? What is the political complexion of the northern Democratic members of the present House of Representatives? Of the few members of the last Congress whom the great Abolition monster of the free States has spared, a majority of them followed the lead and rallied under the anti-Lecompton banner of the Senator from Illinois; and where stand the great mass of that party in all the northern States? It stands upon the same "squatter sovereignty" platform, and rallies under the same "non-intervention" banner, thus ignoring and denying the just and equal rights of the southern people, and virtually excluding them from the Territories of the United States for all time to come. The Democracy of nearly every free State have spoken, and spoken recently, upon these grave and great questions, and all have spoken the same language and asserted the same principles and positions—"non-intervention" is the universal cry; Congress has no power, and ought not to exercise it if it has, to protect slavery in the Territories; that power must be left to the people of the Territories, to be exercised by them at all times and at their sovereign pleasure. This is the doctrine asserted by every Democratic convention of the northern States since the contest over the admission of Kansas of the last Congress; and this doctrine has been adopted and promulgated even by the Democracy of California, heretofore claiming and considered to be one of the soundest of all the



free States; and so intense is their affection for this "non-intervention" "squatter sovereignty" policy, that they "repudiate all political fellowship with any man who does not adopt it, or who counsels the abandonment, limitation, or avoidance of that principle."

Such, sir, is the present position, the avowed doctrine, and settled policy of the northern Democracy; and yet I have been taken to task and condemned in severe language, not only by northern men, but by southerners, for questioning the soundness of the northern Democracy! I ask the northern Democratic Senators on this floor, all and every one of them, if they would vote for a bill protecting slave property in any Territory of this Union? I ask the northern Democracy, one and all, if they are willing to incorporate a plank in the platform to be made at Charleston recognizing that power in Congress and its duty to exercise it? Sir, there may be northern members of that party on this floor, there may be members of it elsewhere at the North, who are ready to concede protection by congressional legislation to slave property found in or taken to any of the Territories of the United States; but I venture the assertion that if any such are to be found here or elsewhere, they are "like angels' visits—few and far between." No, sir, such a demand persisted in by the South at the Charleston convention would not only break up the convention, but would dissolve the national Democratic party. Sir, I do not hesitate to express my opinion that the demand ought to be made and adhered to, and made the *condition precedent* of party affiliation with the northern Democracy in the selection and support of a presidential candidate; and if not granted by the northern delegates, the convention ought to be broken up by the withdrawal of the southern members. It is better for the South, far better, to assert and maintain her rights at all hazards than to yield them to expediency or the hope and prospect of a temporary political or party triumph.

And now, sir, I wish to present another point in reference to the soundness of the northern Democracy. The opposition of the Senator from Illinois and his squad of anti-Lecompton Democrats in the House of Representatives to the Lecompton bill, during the last Congress, drove the friends of that measure and the Democratic party proper into the adoption of the English bill. That bill was distasteful to every southern member in that Congress. It was adopted by them with great reluctance, and only as a *dernier resort*. I will not now condemn or denounce that bill; but I do not err in stating that it was a bitter alternative to all the southern members, and to every true-hearted Democrat in Congress. It passed, however, in spite of the bitter and persistent opposition of the Senator from Illinois [Mr. Douglas] and his anti-Lecompton friends, and in spite of the opposition of a few southern Americans. It contains in substance a provision, that if the people of Kansas should determine not to come into the Union under the Lecompton constitution, they should remain in their territorial condition until their population, "to be ascertained by a census," should reach the number necessary, under the present ratio, to authorize a Representative in Congress. That number is ninety-four thousand people. And now, sir, the people of Kansas re-

jected the proposition of the English bill; and a portion of them, since the adjournment of the last Congress, have formed another constitution which excludes slavery. No census has been taken. The population has not been ascertained. It is notorious that her legitimate population does not reach the requisite number, or near it. Under the English bill, she cannot and ought not to be admitted; and yet what northern Senator or Representative of any party will vote against her admission? I fear, sir, that there is not one—certainly not a majority of those in the present Congress. No, sir, the general sentiment and demand of the northern Democracy, as well as the Republican party, are that she shall be admitted at the present session. I consider her admission under the Pawnee free-State abolition constitution as a foregone conclusion, and as a "fixed fact." And now, sir, suppose that constitution had established slavery, what northern member would have voted for her admission under it in violation of the English bill? Probably not one. And yet, sir, it is claimed that the northern Democracy are sound, impartial, just, and generous to the South.

Sir, I do not wish or intend to do injustice to the northern Democracy. In times past, they have been true to the South and to the Constitution. They had the power and they exerted it in the vindication and support of the just, equal, constitutional rights of the southern States. They have ever been, in Congress and out of it, the bold and decided opponents of the Wilmot proviso. They have denounced it as unconstitutional, arbitrary, and unjust; they have ever been the supporters and advocates of the rights of the southern people to the capture and rendition of their fugitive slaves; they have defended the fugitive slave law and insisted on its faithful execution; they have opposed all conflicting legislation in the free States intended to obstruct and defeat the operation of that law. In this respect, they have been faithful to their constitutional obligations and to the South; they aided the South in repealing and removing the Missouri restriction, that degrading badge of southern inferiority and submission; they have disclaimed in every form and in all places any right on the part of the northern people or of Congress to interfere, directly or indirectly, with the institution of slavery in the States where it exists; they have never denied the *right* of the southern people to hold slaves as property, but have uniformly affirmed it; they have for years under the most adverse and trying circumstances, breasted the storm of abolition rage, fanaticism, and frenzy, which has swept with such tremendous and crushing velocity and power over the free States; and, though weakened by desertions and political deaths, they stand to-day the only barrier the South has, save its own fortitude, courage, and will, against the swelling, surging, terrible waves of abolition fury which threaten to overwhelm us in ruin. The Democracy of the free States have expressed no sympathy for John Brown's character or fate, or for his bloody outrages either in Kansas or Virginia. In all these things the northern Democracy have exhibited a bold and striking contrast to the conduct of the Republican party; and for all these things, they are entitled to the admiration, respect, and gratitude of the southern people. And here I express my regret and mortification that the whole South has



not so felt, and given tangible proofs of the sincerity and strength of their grateful feelings.

But, sir, while I admit and applaud the soundness of the northern Democracy in all these and many other respects, I am constrained to say they are fundamentally unsound and wrong in the great principle which lies at the foundation of all the dangerous anti-slavery agitation of the free States. In common with the Black Republicans and Abolitionists they denounce slavery as a moral wrong, a social evil, and a political curse. Now, sir, if these things be so, and you believe them—if slavery is morally wrong, socially demoralizing, and politically injurious to the community in which it exists, then the conclusion is inevitable that it ought to be abolished; and a sacred duty is imposed upon every one to use all the means in his power to accomplish that end. The premises thus admitted and laid down lead directly and rapidly to abolitionism; first, perhaps, with moderation and tender forbearance; then more positive, determined, and aggressive; and finally rabid, turbulent, unrelenting, revolutionary, exterminating, and bloody; stopping at nothing short of its great end and aim—the universal emancipation of the slaves of the southern States. It has been this very sentiment and conviction, pervading, as they do, all classes of the northern people, and universally sanctioned, promulgated, and used in their schools, their pulpits, their halls of legislation, and their courts of justice, that have produced such frequent and widespread mutinies in the Democratic camp; such constant and numerous desertions from its organizations, until now it is, in all the northern States, a mere remnant of a once powerful and victorious party.

Sir, the southern people can never feel safe in the Union, or have any abiding confidence in the effective "aid and comfort" of any party at the North which tolerates or sanctions this great fundamental error. The southern people do not admit that slavery is a moral wrong, a social evil, or a political curse; on the contrary, they believe it right in the sight of Heaven, salutary in its social bearing and effects, and conducive to the highest development of political blessings. They must, therefore, look upon all men who take the opposite ground, and who condemn slavery in the abstract, as the enemies of their peculiar institution, and as committed sooner or later to its final destruction. The political and party associations which have existed for so many years between the northern Democracy and southern people, through which the great national Democratic party of the United States has retained, with but few and short exceptional periods, the possession and control of the Federal Government, have checked the anti-slavery tendency of the northern Democratic masses, and retarded their absorption into the abolition ranks; but this result must, in the very nature of things, finally happen, and the northern Democracy, like the northern Whig party, be swallowed up in one great party of abolition. What other result can be hoped for or expected, when the doctrines of the "irrepressible conflict" are daily taught in the schools and reiterated from the pulpits throughout the northern States? Hatred to slavery and southern slaveholders, is the daily fare which is offered to the youthful mind, and is part and parcel of the education and religious in-

struction of which the North boasts such wide and general dissemination among all classes of her people. As a specimen of this abolition mode of instruction, I call the attention of the Senate to a tract which I received a few days since inclosed in the following letter:

BURLINGTON, IOWA, December 17, 1859.

HON. A. IVERSON: Inclosed find a Sunday School tract, a sample of the kind which our children are taught from in Sunday Schools in this section of the country.

Yours,

W. H. P.

Then comes the tract, and I regret that the wood cut at the head of it cannot be printed in my speech.

MR. GRIMES. Will the Senator allow me to inquire the name of the writer of the letter?

MR. IVERSON. It is signed "W. H. P." I do not know who the writer is, but the Senator can see the hand-writing. I will read the tract:

"SALE OF A FAMILY OF SLAVES IN WASHINGTON CITY.

*"A Tract for Sabbath Schools."*

"Slaves are people held as property. They are bought and sold, as if they were cows or horses. Some of them are black, some yellow, and some white. In Washington city, where the President of the United States resides, where Congress meets, and the great men of the nation resort, there has been in times past one of the greatest slave markets in the world. One specimen of the sales of families in that city will now be given. It was a young man, his wife and babe. They were placed on an elevated platform, that the bidders might see if they were healthy and sound. This family expected to be all sold to one man; and did not, at first, manifest so much feeling as might be expected.

"The auctioneer began with the husband, and he was sold. He next began to cry off the wife; several men bid for her, but the purchaser of her husband was not one of them. Intense anguish was exhibited in the countenance of the hapless pair. She was sold to a second person, and forever separated from her husband. The big tears rolled down their sable cheeks, and fell in great drops at their feet. Sadness and despair were evidently flowing from the deepest recesses of their souls. Last of all the babe was sold, and to a third person. The cold-hearted wretch came forward to seize his prey. The babe threw its little arms around its mother's neck, and closely clung to her; the mother held it with the grasp of despair and death; her agonizing shrieks pierced the skies, as the clinging child was torn from her bosom. The little boys of Washington city had become so hardened at such scenes of cruelty, that they made sport of this bereaved and shrieking mother. Now, children, how would you feel, if your father and mother were thus sold from each other, and you sold from them? 'You should remember them that are in bonds as bound with them.'"

The foundation of John Brown's celebrated career.

"The poor black children feel just as you would do, if you were sold from your parents to see them no more. Black fathers and mothers love their children just as your white fathers and mothers love you. Black husbands and wives love each other just as white husbands and wives do; therefore it is just as wicked to make black people slaves as it would be to make slaves of white people."\*

\* In an old newspaper, published in Boston in 1768, called the Massachusetts Gazette, appear the following advertisements:

"TO BE SOLD—A likely negro man, about twenty-two years of age; he has been used to husbandry and waiting on a gentleman; can have a good recommendation, and is sold for no fault. Inquire of Green & Russell."

"WORCESTER, June 14, 1768.

"Ran away from his master, Robert Barker, of Worcester, this morning, a negro man named Mark, of middle stature, about thirty-five years of age, very much pock-broken, and can read and write. He carried away with him two blue coats, one lined and bound with red, the other not lined; a pair of green plush breeches, a pair of trousers, and an old beaver hat. Whoever shall take up said runaway, and convey him to his said master, shall receive six dollars reward, and all necessary charges paid.

"ROBERT BARKER."

Worcester is the very hot-bed of abolition fanaticism now; and the grandchildren of this Robert Barker, if any



Such, sir, is the literary and religious instruction imparted to the northern youth; such the impressions made upon his mind; such the sympathy aroused for the black race; such the hatred and detestation created against their white owners; and such the sacred duty enforced of putting an end to the alleged wickedness of slavery. These teachings are not confined to the children of Abolitionists. They are given to all classes—to the children of Democrats as well as Republicans. The tendency is unmistakable, the effect inevitable. Abolitionism, rank and rabid, will, sooner or later, pervade the whole northern mind and heart, and impel the northern masses to the suppression of slavery at the South at any and every sacrifice—"peaceably if they can, forcibly if they must." Twenty years ago, the great Whig party of the North was as sound, both in theory and in practice, as the present northern Democracy; and where is that party now? Swallowed up in abolitionism, and forming the controlling element of the Republican party, with only here and there a few solitary exceptions in the form of old, inert, useless "fossils and fogies," like Edward Everett, Robert C. Winthrop, and Washington Hunt, who are full of Union-loving, Union-saving, "sound and fury, signifying nothing," and who never control a vote, and never give form or shape to any political movement.

The old Whig party of the North is the Republican party of the present day, whose leaders are the professors and teachers of the "irrepressible conflict" doctrines, and of whose masses John Brown was the bold and bloody prototype; and, sir, this party, increasing in boldness, rancor, and hate for the South, as it has increased in numbers, now has a majority, and controls the political power and action of every northern State of this Union. And what are its present *status* and future prospects in regard to the all-absorbing question of southern slavery? Twenty-five years ago, we were a Confederation of equal, sovereign States, living in a common Union, and enjoying the blessings of a common Government; we were at peace with each other; we interchanged commercial commodities and social civilities without distrust or restraint;

there be, it is safe to say, are now wailing and lamenting over the failure of John Brown in his attempt to excite the "*Marks*" and other negro men of the South, not to *run away* from their masters, but to massacre them.

The next advertisement presents an odd jumble :

"ON THURSDAY NEXT, 30th inst., at three o'clock, afternoon, will be sold by public vendue, at the auction room in Queen street, a variety of goods, among which are Irish linens, calicoes, lustrings, black satins, black corded silk, stripe Hollands, kenting handkerchiefs, Scotch threads, Dowlass, Duroys, druggets, breeches patterns, men's and women's fine cotton hose, felt hats, men's and women's saddles, portmanteaus, housings and holsters, cases with fifteen bottles, a cask of very good indigo; also a negro girl, thirteen years old.

J. RUSSELL, Auctioneer."

"AT PRIVATE SALE, two pipes of sterling Madeira; a negro man, forty years of age, a boy of fourteen, and two girls, about twelve years of age; a second-hand chaise and harness, and sundry riding habits, trimmed with gold and silver lace."

They felt no compunction in Boston in those days in advertising their "fellow-men" as "goods" and chattels. It is true that, in 1780, Massachusetts abolished slavery, but it was an easy thing to do. There were less than five thousand within her borders, and the proportion of whites to the black population was quite sixty to one. What a trifling sacrifice to what is demanded of the southern States, where the proportion between the colors is not even two to one?

This old record of the past is a genuine curiosity, which each departing year renders more valuable.

we were, indeed, a band of brothers; if we differed in politics, our differences were on questions of a general character, affecting more or less all sections of the Union. The rights of each section were acknowledged and respected by a common Government and the several States, and no sectional parties existed to estrange and embitter us against each other.

But what is our present condition? Commencing with the presidential election of 1840, and continuing with the admission of Texas, the Wilmot proviso in the Oregon bill, the acquisition of California and New Mexico, the compromise measures of 1850, and other kindred measures, the slavery agitation has gone on to widen, deepen, and strengthen, all over the northern States, until it has produced an overwhelming party, whose cardinal and avowed doctrine and dogma are that slavery is a sin, a shame, and a reproach to the nation, and ought to be and must be abolished; a party which denies to the southern people the rights claimed for and accorded to the northern people; a party which openly declares that no more slave territory shall ever be acquired or formed by this Government; a party which encourages in every possible manner the desertion of the slaves of the southern people from their owners, and defies the Constitution and laws which recognize and provide for their recapture; a party which, through its recognized leaders and principal men, openly and unblushingly, in the Halls of Congress, declare and affirm, by their voices and votes, that property cannot exist in man; who deny the right of the master to his slave, and openly and constantly proclaim that resistance is the duty as it is the right of the slave; a party which approves, indorses, and circulates the most seditious and incendiary books and pamphlets and papers, calculated and intended to inflame the public mind at the North, to make their prejudices against southern slavery and slaveholders more violent and bitter, and to excite the slaves themselves to revolt, rapine, and murder; a party which pours out its floods of tears and sympathy for the deserved fate of the vilest criminals, with hands stained with the blood of men whose only offense was that they lived in a land where slavery existed; a sectional party, confined to the free States, and based alone upon hostility to the great domestic institutions of the South, and threatening, with its increasing numerical power, to seize every branch of the Federal Government, and divert and wield them to the overthrow and destruction of that institution. I say the Republican party unblushingly denies "the right of property in man," and if this assertion is denied, I will bring the record to prove it. Not two years ago, in this Chamber, with the solitary exception of the Senator from Wisconsin, they openly did so by their votes.

Mr. DOOLITTLE. I suppose the Senator from Georgia alludes to myself.

Mr. IVERSON. Yes, sir.

Mr. DOOLITTLE. I desire to state to that honorable Senator—not to interrupt him or make a speech—that the vote which I then gave was upon this ground: that the money was in the Treasury of the United States by treaty, which, as I understood, was to belong to the claimants; and, being in the Treasury of the United States, I voted that it should be paid out; not that I recognized that by the Constitution of the United States,



or by any law of the United States, property in man exists; but claiming, as I always have, that property in man (if such a thing be possible) rests upon the laws of the sovereign States where slavery exists, and does not exist by virtue of the Constitution or any law of the United States.

Mr. IVERSON. I regret that the Senator from Wisconsin has made his explanation, because I thought there was at least one honorable man who was disposed to recognize the right of the southern people to their property. I regret now to find that there is not a single man on the other side of the Chamber who will do so.

Such, sir, is the brief history of the great Whig party of former years, and such its present condition; and such, in my opinion, will be the history and future condition of the northern Democratic party of the present day. It has already lost its numerical power in all, or nearly all, of the northern States; it has not the control of a single State government in the fifteen free States east of the Rocky Mountains; and, from an overwhelming majority in both Houses of Congress only a few years ago, it has now scarcely a corporal's guard in either. Its ranks have been thinned year after year by conversions to the more seductive and popular doctrines of the abolition school, until its deserters have swelled the ranks of the latter party to an irresistible and alarming size. And what hope or prospect is there that it will ever recover its lost purity and power? It may make spasmodic efforts for existence, and, in alliance with the southern Democracy, may occasionally, and for a few years, obtain political power in the Federal Government; but it must go down at last, and sink beneath the black and turbulent waves of that abolition sea that is sweeping over the free States, and surging ever against the bulwarks of a determined southern resistance; and this raging sea must eventually engulf all the conservative elements of the anti-slave States; and if the Union withstands the shock, must also overwhelm all the southern States, and subject them to its domination. A *united South*, combined with the true, sound Democracy of the northern States, may drive it back or check it for a while, but *it will come again*, and, at each returning onset, it will come with redoubled force and violence. We checked it in 1844 by the election of Mr. Polk; it came back with increased power in 1848 and 1850. We drove it back in 1852; but it returned to the charge in 1854 in a more hideous and alarming volume. We put up a barrier—a strong one, as we thought—against it in 1856, in the election of a Democratic President and a decided Democratic majority in both Houses of Congress. In three short years it has rolled on with never-ceasing, ever-accumulating velocity and power, until at this moment it paralyzes all the operations of the Government, and threatens the overthrow of the Union. We may, and I hope and believe we shall, stay its progress by the election of a sound and true Democratic candidate in the approaching presidential election, and thus give the Union at least another lease of four years' uneasy existence; ay, sir, uneasy it must be until the "irrepressible conflict between opposing and enduring forces" shall work out its inevitable, final end, the disruption of all the ties which bind us together, and the formation of a separate confederacy of the slave States. "To

this complexion it must come at last." No greater truism was ever uttered from the lips of mortal man than that memorable saying of the great leader of the Abolition party of this country in his Rochester speech, in November, 1858. Speaking of the antagonistic nature and character of the conflict between slavery and freedom, Mr. SEWARD said:

"Shall I tell you what this collision means? They who think that it is accidental, unnecessary, the work of interested or fanatical agitators and therefore ephemeral, mistake the case altogether. It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slaveholding nation or entirely a free-labor nation."

Free institutions and slave institutions, as now understood and established in the two sections of our Union, cannot exist together in peace under the same Government, during such a period as usually marks the lifetime of great nations. I know that these opposing systems have existed together in this Union for three quarters of a century; but that is a brief and insignificant portion of a nation's lifetime, which rests upon congenial and harmonious elements. And yet, in this brief period, we have seen unmistakable evidences of the truth of this great principle which, founded in human nature, will sooner or later work out its object and end.

Sir, there is but one path of safety to the South; but one mode of preserving her institution of domestic slavery, and that is in a confederacy of States having no incongruous and opposing elements—a confederacy of slave States alone, with homogeneous language, laws, interests, and institutions. Under such a confederated republic, with a constitution which should shut out the approach and entrance of all incongruous and conflicting elements, which should protect the institution from change, and keep the whole nation ever bound to its preservation by an unchangeable fundamental law, the fifteen slave States, with their power of expansion, would present to the world the most free, prosperous, and happy nation on the face of the wide earth.

Sir, with these views, and with the firm conviction which I have entertained for many years, and which recent events have only served to confirm, that the "irrepressible conflict" between the two sections must and will go on, and with accumulating speed, and must end, in the Union, with the total extinction of African slavery in the southern States, I have announced my determination to approve and urge the southern States to dissolve the Union upon the election of a Black Republican to the Presidency of the United States, by a sectional northern party, and upon a platform of opposition and hostility to southern slavery. It would not be the mere election of a northern man, under the forms of the Constitution and laws; it would not be that he was opposed to slavery in the abstract, that I would counsel a separation of the slave from the free States; but because the election of such a man, under all the circumstances now existing and which would surround the election, would be conclusive evidence of deep-rooted hostility to southern slavery in the northern mind; conclusive evidence of the advancing power of abolitionism; conclusive evidence of a settled determination to strike down the institution in some form or other, and as soon as possible.

Looking confidently to such results, the south-



ern States ought not, in my opinion, to consent to remain longer in a Union whose Government would be controlled by a sentiment of hostility to their highest and most important interests.

Sir, under a conservative Administration, such as now exists, disposed to do justice to the South and to accord to her people their constitutional right—an Administration opposed to the advance of abolitionism, and ever ready and willing, so far as its constitutional power extends, to guard the southern people from its violent, incendiary, and bloody inroads; even now, the property, person, and lives of the southern people are subject to constant insecurity, danger, and disturbance. What would be our condition with the whole power and patronage of the Federal Government in the hands of a bitter, uncompromising, and vindictive anti-slavery party? Sir, it can be imagined better than it can be described. What value would the Union be to us when we should be compelled, as our only security, to sleep with arms by our sides, and prepared at all times to defend our property, our families, and our lives from the torch of the incendiary, and the pikes and rifles of an infuriated domestic enemy, instigated by northern fanaticism, and led on by the descendants of John Brown and the disciples of the great champion of the irrepressible conflict?

Sir, it will be the dictate of freedom, safety, interest, and honor for the southern States, upon the happening of such a contingency, to sever at once the ties which bind them to the present Union, and set up a distinct and separate government of their own. I know the repugnance of the southern people to such an experiment. I know the love and reverence which they have entertained for the Union. I know how loth men and communities are to break up existing institutions, and to form new ones; to change a Government under which they have lived for many years, and begin, as it were, a new national existence. But, sir, the southern mind is fast coming to the conclusion, if indeed it has not already reached it, that their honor, their rights, their interests, and, above all, their safety, absolutely demand that they should reassume their sovereign capacity and power, and enter into a new compact of union with friendly and congenial States. I know also, sir, another great stumbling block in the way of such a movement—the apprehension and dread which have existed in the minds of the southern people, and which the North is ever endeavoring to impress upon them, that disunion cannot be effected without bloodshed and civil war.

But, sir, even that difficulty is rapidly passing away. All considerate men see clearly that the fifteen slave States could swing out of the present Union and form a separate confederacy without the firing of a hostile gun or the shedding of a drop of human blood. No, sir; were such a move-

ment inaugurated by the southern States, none but a *northern fanatical fool* would ever suggest or urge the attempt to *force* them back into the former Union. Every man of common sense, and certainly every statesman, would know that such a thing would be *impossible*. And if it were possible; if it were attempted and accomplished, what would a Union be worth, cemented by blood and kept together by the cohesive power of the bayonet! But such a thing would be *impossible*, and the northern people know it.

Sir, northern demagogues talk very fluently and flippantly about whipping\* the revolted South back into their fraternal embrace. We have heard such vaporings even on this floor; but, sir, they generally proceed from those who would be the very last to undertake the job. Now, sir, when the southern States shall in the exercise of their sovereign will and power determine to dissolve this Union, separate from the North, and form a government for themselves, let these loud-mouthed, blood and thunder, braggadocio Hotspurs assemble their abolition army and come down, through Virginia and the Carolinas, to Georgia, to *force* us back into the Union, if they dare. They threaten us who may secede with the halter and the gallows. Sir, we should not dignify *them*, such as would be so unfortunate as to reach us, with such a decent exit from this world; we should not show them even the respect extended to their faithful friend and ally, John Brown, but, *by the Eternal*, we should hang them up like dogs to the trees of our forests growing ready to our hands. Sir, in such a cause and in such a war, the South would plant her feet upon the firm basis of her rights and her honor, and, in the language of the ancient knight, exclaim:

“Come one, come all; this rock shall fly  
From its firm base as soon as I.”

\* The following resolution, amongst others, was adopted by a great “Union meeting” at Williamsport, Pennsylvania, on the 10th day of December, 1859:

“Resolved, That we will resist, with our lives and fortunes, any attempt to annul the laws of our beloved country, and that in the event of any attempt at dissolution of this glorious Union, one hundred thousand Pennsylvania swords will leap from their scabbards to crush it.”

The New York Courier and Enquirer, one of the rank-est of all abolition sheets, and certainly the greatest *bully* of them all, on a recent occasion used the following language:

“If any portion of this great Confederacy, whether it be the East or the West, the North or the South, attempts to withdraw from the Union, it will be promptly *whipped*—ay, *whipped*—into subjection. It is all idle to mince the matter. The fiat has gone forth, and will be enforced; let Washington, Oregon, and California, at the Northwest, or Maine, New Hampshire, and Massachusetts, at the Northeast, or the agricultural States of the North and center, or the slave States of the South and Southwest—let any one of them, or any combination of them, raise the banner of rebellion against the American Union—we care not what their pretense for treason—as certainly as there is a God above, so certain is it that the offending States will be *whipped* into obedience, and the *TRAITORS* who encouraged rebellion terminate their career upon the gallows.”



*[Faint, illegible text, likely bleed-through from the reverse side of the page. The text is arranged in two columns.]*